

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

LESLIE WEBB,

Plaintiff

v.

HARRIS COUNTY PRISON,

Defendant

:
:
:
:
:
:
:
:
:
:
:

CASE NO. 4:11-CV-110-CDL-MSH
42 U.S.C. § 1983

ORDER

Pro se Plaintiff Leslie Webb, a prisoner at Harris County Prison (“HCP”), submitted a handwritten Complaint, which has been docketed as a civil rights action under 42 U.S.C. § 1983 (ECF No. 1). In his Complaint and attachment (ECF No. 1-1), Plaintiff alleges that the law library at HCP is inadequate and that he has been prevented from performing an unspecified task necessary for his parole. As relief, Plaintiff seeks access to a law library and transfer from HCP to the Atlanta Transitional Center.

Without passing judgment on the ultimate merits of Plaintiff’s Complaint, the Court observes that Plaintiff has failed to present his claims on the standard 42 U.S.C. § 1983 form required by this Court. Additionally, Plaintiff has failed to submit the \$350.00 filing fee or a financial affidavit seeking leave to proceed *in forma pauperis*. If Plaintiff wishes to proceed with this section 1983 lawsuit, he is ORDERED to complete and submit a 42 U.S.C. § 1983 form AND either submit the full \$350.00 filing fee, or execute

and return a financial affidavit seeking leave to proceed *in forma pauperis*, including a certified copy of his trust fund account balance.

In completing this Court's section 1983 form, Plaintiff is advised that HCP is not a valid Defendant in a section 1983 action. *Brannon v. Thomas Cnty. Jail*, 280 F. App'x 930, 934 n.1 (11th Cir. 2008) ("County Jail is not an entity capable of being sued under Georgia law"). Plaintiff must therefore name specific individuals or other parties and state in detail how each Defendant violated Plaintiff's constitutional rights.

Plaintiff shall have twenty-one (21) days from the date of this Order to comply with the above instructions. If Plaintiff fails to timely respond to this Order, this action shall be dismissed. The Clerk of Court is DIRECTED to forward the appropriate section 1983 form and financial affidavit (with the civil action number written on them) to the Plaintiff, together with a copy of this Order. There shall be no service of process until further order of the Court.

SO ORDERED, this 8th day of September, 2011.

S/ Stephen Hyles
UNITED STATES MAGISTRATE JUDGE